

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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HOWARD GRIFFITH,

Plaintiff,

-v-

5:23-CV-1266

NEW YORK STATE  
ATTORNEY GENERAL,

Defendant.

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APPEARANCES:

HOWARD GRIFFITH  
Plaintiff, Pro Se  
2903 James Street, #1R  
Syracuse, NY 13206

OF COUNSEL:

DAVID N. HURD  
United States District Judge

**ORDER ON REPORT & RECOMMENDATION**

On October 10, 2023, *pro se* plaintiff Howard Griffith (“plaintiff”) filed this civil action alleging that defendant somehow violated his rights in connection with a real property rental dispute with non-parties. Dkt. No. 1. Along with his complaint, plaintiff moved for leave to proceed *in forma pauperis* (“IFP Application”). Dkt. No. 2.

On March 20, 2024, U.S. Magistrate Judge Miroslav Lovric granted plaintiff's IFP Application, conducted an initial review of the pleading, and advised by Report & Recommendation ("R&R") that plaintiff's complaint be dismissed without prejudice but without leave to amend. Dkt. No. 7. As Judge Lovric explained, plaintiff's pleading was frivolous. *Id.*

Plaintiff has lodged objections. Dkt. No. 8. Upon *de novo* review, the R&R is accepted and will be adopted. 28 U.S.C. § 636(b)(1)(C).

Therefore, it is

ORDERED that

1. The Report & Recommendation (Dkt. No. 7) is ACCEPTED;
2. Plaintiff's complaint is DISMISSED without prejudice but without leave to amend.

The Clerk of the Court is directed to enter a judgment accordingly and close the file.

IT IS SO ORDERED.

Dated: April 16, 2024  
Utica, New York.



David N. Hurd  
U.S. District Judge